

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) S1509.70037US01
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> In re Application of Eric T. Fossel </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px; display: flex; justify-content: space-between;"> <div>Application Number 10/590,300-Conf. #7179</div> <div>Filed June 21, 2007</div> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> For TOPICAL DELIVERY OF A NITRIC OXIDE DONOR TO IMPROVE BODY AND SKIN APPEARANCE </div> <div style="border: 1px solid black; padding: 5px; display: flex; justify-content: space-between;"> <div>Art Unit 3761</div> <div>Examiner I. Y. Treyger</div> </div>		
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 620.00</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>23/2825</u>.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038.</p> <p>I am the</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> <input type="checkbox"/> applicant /inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) </div> <div style="text-align: right;"> _____ /Tani Chen/ Signature _____ Tani Chen, Sc.D. Typed or printed name </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>52,728</u> </div> <div style="text-align: right;"> _____ 617.646.8000 Telephone number </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____ </div> <div style="text-align: right;"> _____ November 9, 2011 Date </div> </div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <input type="checkbox"/> *Total of <u>1</u> forms are submitted. </div>		

Certificate of Electronic Filing Under 37 CFR § 1.8	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with 37 CFR § 1.6(a)(4).	
Dated: November 9, 2011	Electronic Signature for Lucie DeBellis: /Lucie DeBellis/